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UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO DIVISION

PING HANG WONG,
 Plaintiff,

v.

MICHAEL CHERTOFF, Secretary of the
 Department of Homeland Security;
 ALBERTO R. GONZALES, Attorney General,
 United States Department of Justice;
 EMILIO T. GONZALEZ, Director,
 U.S. Citizenship and Immigration Services;
 JUAN P. OSUNA, Acting Chairman, Board of
 Immigration Appeals, Executive Office of
 Immigration Review, U.S. Department of
 Justice; ROBIN BARRETT, Field Office
 Director, San Francisco District Office,
 U.S. Citizenship and Immigration Services,

Defendants.

No. C 07-2442 MMC

**STIPULATION TO DISMISS AND
 [PROPOSED] ORDER**

Plaintiff, by and through his attorney of record, and Defendants, by and through their attorney of record, hereby stipulate, subject to the approval of the Court, to dismissal of the above-entitled action without prejudice in light of the fact that the United States Citizenship and Immigration Services agrees to re-open plaintiff's I-130 petition for an alien relative upon withdrawal of Plaintiff's administrative appeal. USCIS has scheduled Plaintiff for an interview on her petition on July 19, 2007. USCIS further agrees to adjudicate plaintiff's petition within 14 days of the

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1 interview, and to expedite the administrative appeal process, if any. USCIS also agrees to waive
2 administrative appeal fees, if any administrative appeal ensues.

3 Each of the parties shall bear their own costs and fees.

4
5 Date: July 16, 2007

Respectfully submitted,

6 SCOTT N. SCHOOLS
7 United States Attorney

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9 _____/s/
10 ILA C. DEISS
11 Assistant United States Attorney
12 Attorneys for Defendants

13 Date: July 16, 2007

14 _____/s/
15 JUSTIN X. WANG
16 Attorney for Plaintiff

17 **ORDER**

18 Pursuant to stipulation, IT IS SO ORDERED.

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21 DATED:

22 _____
23 MAXINE M. CHESNEY
24 United States District Judge
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